

**REMARKS**

In the Office Action the Examiner noted that claims 1-19 are pending in the application and the Examiner rejected all claims. By this Amendment, claims 1-19 have been amended. Thus, claims 1-19 are pending in the application. The Examiner's rejections are traversed below.

**Claim Rejections Under 35 USC §112**

In items 1-2 on page 2 of the Office Action the Examiner rejected claims 1-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Claim 1 has been amended to correct the antecedent basis problem identified by the Examiner regarding the term "the assistant layer." As the Examiner has stated that claims 2-13 are rendered unclear only by this feature of parent claim 1, claims 1-13 are now corrected.

Claim 14 has been amended to correct the terms "smooth" and "steep," which the Examiner has cited as rendering the claim indefinite. Also, claims 15-18 have been amended to make the units of measure more understandable.

Therefore, the Applicant respectfully submits that claims 1-18 are not indefinite, and respectfully requests that the rejections under 35 U.S.C. §112 be withdrawn.

**Claim Rejections Under 35 USC §102**

In item 4 on page 3 of the Office Action the Examiner rejected claims 1-2, 13, and 19 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,358,664, issued to Nirmal et al. (hereinafter referred to as "Nirmal").

However, the Applicant respectfully notes that the 102(e) date for Nirmal is September 15, 2000, whereas the present application claims priority from Korean Intellectual Property Office Application No. 2000-49287, filed on August 24, 2000. Therefore, Nirmal is not a proper 102(e) reference, and withdrawal of the 102(e) rejection of claims 1-2, 13, and 19 is respectfully and earnestly solicited.

Claim Rejections Under 35 USC §103

In item 7 on pages 4-5 of the Office Action the Examiner rejected claims 3-12 and 14-18 under 35 U.S.C. 103(a) as being unpatentable over Nirmal, and further in view of U.S. Patent No. 5,688,551, issued to Littman et al., and U.S. Patent No. 6,242,140, issued to Kwon et al.

As noted in preceding section of this Amendment, the present application claims priority from a Korean application that was filed before the filing date of Nirmal. Therefore, Nirmal is not a proper 103(a) reference, and withdrawal of the 103(a) rejection of claims 3-12 and 14-18 is respectfully and earnestly solicited.

Summary

In accordance with the foregoing, claims 1-19 have been amended. Claims 1-19 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 04/26/04

By: Thomas L. Jones  
Thomas L. Jones  
Registration No. 53,908

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

**CERTIFICATE UNDER 37 CFR 1.9(a)**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 04/26/04 20 04  
STAAS & HALSEY  
By: Thomas L. Jones  
Date: 04/26/04